



Crl.O.P.No.9631 of 2024

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406, 420, 294(b), 506(i) and 120(B) of I.P.C., in Crime No.18 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1, A2 and A3 had lured the de-facto complainant and several others to invest money in a Scheme called “Crypto Currency”, whereby they promised that if there is an investment of a small amount everyday, the said amount would be repaid back by what it can also be very bluntly called doubling of money. Hence the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) for the respondent submits that the custodial interrogation of the petitioner is required not only to find out the actual amounts involved, but also to determine the *modus operandi* and also the role of any other persons, who should be brought in as accused and more particularly the role of A1, A2 and A3.

5. The learned Government Advocate (Criminal Side) further submits that the Trial Court is unable to proceed with the trial as A4 was absconded fearing arrest at the hands of the respondent. It had been stated that since the petitioner was not in custody, the respondent was not able to conduct proper investigation and did not have the opportunity to do so. It had been further stated that the earlier anticipatory bail petitions in Crl.O.P.Nos.28615 and 28745 of 2023 are dismissed on 20.03.2024. It had been stated that through the bank account of the defacto complainant, a sum of Rs.4,62,000/- was transferred to the bank of the petitioner on 09.04.2022. Hence, he vehemently opposes for grant of anticipatory bail to the petitioner.



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6. Heard both sides and perused the materials available on record including the FIR.

7. After hearing the counsel of the respective parties, I find that A1 was granted anticipatory bail in Crl.O.P.No.21975 of 2023 on 19.10.2023 and A2 and A3 were initially arrested and subsequently released on default bail under Section 167(2) of Cr.P.C.

8. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner.

9. Accordingly, **petitioner is directed to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.18 of 2023 on the file of the learned Judicial Magistrate No.I, Villupuram on or before 28.06.2024, failing which, the anticipatory bail shall stand dismissed**, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial**



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Magistrate No.I, Villupuram, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] **the petitioner is directed to deposit a sum of Rs.3,00,000/- (Rupees Three Lakh only) to the credit of Crime No.18 of 2023 on the file of the learned Judicial Magistrate No.I, Villupuram on or before 28.06.2024, failing which, the anticipatory bail shall stand dismissed.**

[c] **the petitioner shall report before the respondent Police weekly twice at 10.30 a.m., until further orders;**

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[e] the petitioner shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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